

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BUXBAUM,

Plaintiff,

-against-

STEWART BUXBAUM and GERI  
BUXBAUM,

Defendants.

25-cv-457 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Pro se plaintiff Michael Buxbaum brought this suit against his parents, Stewart and Geri Buxbaum. *See* Dkt. 1 at 2. Plaintiff's claims are hard to make out, but he seems to accuse the defendants of interfering with his real estate business. *See id.* at 5.

On March 28, 2025, defendants' counsel informed the Court that plaintiff had threatened him, both defendants, and plaintiff's other relatives (who aren't parties to this case but are mentioned in plaintiff's pleadings). *See* Dkt. 35. Among other things, plaintiff said defendants' deaths would be "great news," used a slew of vulgar language, and threatened defendants' counsel with physical violence. *Id.* Here are two of the emails:

From: Michael Buxbaum (michaelbuxbaum@icloud.com)

To: comeresq@aol.com

Date: Wednesday, March 26, 2025 at 05:08 PM EDT

Feel Free to shake my hand in person Neal Comer in a stand your ground state.  
I think when your clients Stewart Buxbaum is dead that that's good news  
Geri Buxbaum is a Man and when she dies then I am going to celebrate  
Here are the mortgage releases for my property  
Feel free to review them with your clients

> On Mar 26, 2025, at 3:24 PM, Michael Buxbaum <michaelbuxbaum@icloud.com> wrote:

>

> Neal Comer

> FUCK YOU little dick Westchester attorney

> Geri Buxbaum is a Man

> And Stewart Buxbaum is a piece of shit

> Stewart's and Geri's deaths are going to be great news

> Note the affidavits

> Michael Buxbaum

The Court warned plaintiff that “[i]f there is any further conduct of this kind ... this case will be immediately dismissed with prejudice.” Dkt. 36. Defendants’ counsel has since informed the Court that plaintiff continued to issue threats—including threatening to kill Stewart Buxbaum—despite the Court’s order. *See* Dkt. 40, 46; *see also* Letter, 24-cv-9546 (S.D.N.Y. April 8, 2025), ECF 64 at 6 (“So the issues are, yeah, if I see you or Stewart Buxbaum, I’m going to give you a [expletive] beatdown. That’s what’s really going to occur.”).


“[W]hen a party deceives a court or abuses the process at a level that is utterly inconsistent with the orderly administration of justice or undermines the integrity of the process, the court has the inherent power to dismiss the action.” *Richardson v. Cabarrus Cnty. Bd. of Educ.*, 151 F.3d 1030 (4th Cir. 1998); *see also Koehl v. Bernstein*, 740 F.3d 860, 863 (2d Cir. 2014) (affirming dismissal of case with prejudice for plaintiff’s “offensive, abusive, and insulting language”). Courts have routinely dismissed cases where a party has engaged in threatening or abusive conduct. *See Harry v. Lagomarsine*, 2019 WL 1177718, at \*2 (E.D.N.Y. Mar. 13, 2019) (collecting cases).

Given the egregious conduct at issue, no lesser sanction than dismissal with prejudice would be appropriate. *See Koehl*, 740 F.3d at 863. First, plaintiff’s conduct was abhorrent and warrants dismissal on its own. Putting aside any criminal consequences arising from those threats, they render it impossible to litigate this case on the merits. Second, the Court warned plaintiff that if he threatened defendants or their counsel again, this case would be dismissed with prejudice. Plaintiff continued making threats anyway. And he seems to have done so in the other actions he’s filed in this district—again, despite a clear warning that “any additional malicious, harassing or threatening conduct” towards the parties would result in the action’s dismissal with prejudice. *See* Order, 24-cv-9546 (S.D.N.Y. March 31, 2025), ECF 55; *see also* Letter, 24-cv-9546 (S.D.N.Y. April 8, 2025), ECF 64 (detailing additional threats made).

For the reasons above, plaintiff’s case is DISMISSED with prejudice. The Clerk of Court is directed to terminate Dkt. 31, 32, and 41 and close this case.

SO ORDERED.

Dated: April 15, 2025  
New York, New York

  
ARUN SUBRAMANIAN  
United States District Judge